

REMARKS

This amendment responds to the Office Action dated October 7, 2009.

Claims 1-27 have been canceled, making moot the Examiner's rejection of claims 1, 4, 6-11, 14, and 16-20 under 35 U.S.C. §112.

The Examiner rejected claims 28-31 under 35 U.S.C. § 103(a) as being obvious over Nakamisha et al., U.S. Patent No. 6, 721,465 in view of Myers et al., U.S. Patent No. 7,171,046, and in further view of Kochi et al., "User-defined Template for Identifying Document Type and Extracting Information from Documents." The Examiner rejected claims 32-34 under 35 U.S.C. § 103(a) as being obvious over respective combinations, each citing Nakamishi, Myers, and Kochi.

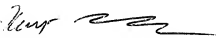
Independent claim 28, from which claims 29-34 each respectively depend, has been amended to recite the limitation of "storage storing a plurality of templates organized into predefined categories, each of said categories associated with a unique audible signal recitable from said audio transmitter, and at least one of said categories including more than one template, where said processor identifies a selected one of said predefined categories based upon a manual input received after audible recitation of a said signal associated with the selected one of said predefined categories, and automatically identifies the layout format of text in an image captured by said digital camera based upon solely those ones of said plurality of templates within said identified predefined category." None of the cited references disclose or make obvious this limitation. In particular, Kochi merely compares document characteristics to each of the predefined models in the system to determine the best match. Though Kochi recognizes that many templates are similar to each other, and the disclosed automatic identification of document types therefore has an error rate, Kochi views this problem as intractable, and therefore offers no solution. *See* Kochi at section 4.2. For example, if the system of Kochi had a model for a "flyer" in column format, and a menu that had item and price columns, the system of Kochi would be susceptible to confusing these two models, making the system unable to properly recite the text in each. The claimed subject matter, however, by first receiving input as to the type of document scanned (i.e. what Kochi seeks to automatically identify), is better able to distinguish between layout formats that are very close in appearance. For these reasons, claims 28-31 patentably distinguish over the cited prior art.

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In view of the foregoing amendments and remarks, the applicant respectfully requests reconsideration and allowance of claims 28-34.

Respectfully submitted,

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